

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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DEC 23 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)

Policy and Rules Concerning the)
Interstate, Interexchange Marketplace)

CC Docket 96-61

Implementation of Section 254(g) of the)
Communications Act of 1924, as amended)

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To: The Commission

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

PETITION FOR RECONSIDERATION OR CLARIFICATION

General Communication, Inc. ("GCI") pursuant to Section 1.106 of the FCC Rules and Regulations, 47 CFR §1.106, hereby petitions the Commission to reconsider and/or clarify its Order implementing mandatory detariffing for all non-dominant, domestic, interexchange carriers. Policies and Rules Concerning the Interstate, Interexchange Marketplace, CC Docket 96-61, FCC 96-424, released October, 31, 1996 (the "Order").¹ For the reasons shown below, the Commission should clarify that the mandatory detariffing does not apply to AT&T/Alascom, Inc. provision of common carrier service. Alternatively the Commission should reconsider and reverse any finding that AT&T/Alascom is not required to file a common carrier service tariff.

The Commission specifically states that AT&T must comply with ". . . service to and from the State of Alaska and other

1. 61 Federal Register 59,340, dated November 22, 1996.

88-816000 rec'd
LIST ABOVE

regions subject to the Commission's rate integration policy, . . .
." ² The Commission further notes AT&T's commitment to comply with the rate integration policy and with the Commission's orders regarding AT&T's purchase of Alascom, Inc.³ Outlined in those commitments is the requirement that

(2) Alascom must provide interexchange common carrier services under tariff offered on a non-discriminatory basis at rates that reflect the cost of service. Id. at 2204-06.⁴

The Alascom Authorization Order,⁵ the Market Structure Order,⁶ and the Final Recommended Decision⁷ of the Joint Board requires that Alascom file a Common Carrier Service tariff. The Joint Board directed the Commission to review the tariff under the standard tariff review process. The Joint Board further stated "that the tariff be refiled annually for the first few years with the Commission later determining if less frequent tariff filings would be appropriate."⁸

2. Order, paragraph 101.

3. Order, footnote 267.

4. Motion of AT&T Corp. to be Reclassified as a Non-Dominant Carrier, 11 FCC Rcd 3271, 3334 (1995).

5. In re Application of Alascom, Inc., AT&T Corp. and Pacific Telecom, Inc. for Transfer of Control of Alascom, Inc from Pacific Telecom, Inc. to AT&T Corp., File Nos. W-P-C-7037, FCC 95-334 (released August 2, 1995).

6. Integration of Rates and Services, 9 FCC Rcd 3023, 3027 (1994).


7. Integration of Rates and Services, 9 FCC Rcd 2197, 2216-2217 (1994).

8. Id.

For the reasons shown herein, the Commission should clarify that the mandatory detariffing does not apply to AT&T/Alascom, Inc. provision of common carrier service under tariff. Alternatively the Commission should reconsider and reverse any finding that AT&T/Alascom is not required to file a common carrier service tariff.

Respectfully submitted,

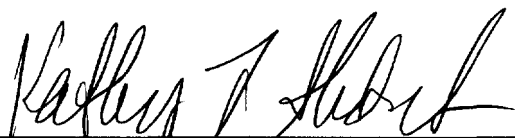
GENERAL COMMUNICATION, INC.


Kathy L. Shobert
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December 23, 1996

STATEMENT OF VERIFICATION

I have read the foregoing, and to the best of my knowledge, information and belief there is good ground to support it, and that it is not interposed for delay. I verify under penalty of perjury that the foregoing is true and correct. Executed this 23rd day of December, 1996.

A handwritten signature in cursive script, appearing to read "Kathy L. Shobert", written over a horizontal line.

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